

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 63rd LEGISLATURE - REGULAR SESSION

COMMITTEE ON JUDICIARY

Call to Order: Chair Krayton Kerns, on March 20, 2013 at 9:00 A.M., in Room 137
Capitol

ROLL CALL

Members Present:

Rep. Krayton Kerns, Chair (R)
Rep. Gerald (Jerry) Bennett, Vice Chair (R)
Rep. Margaret (Margie) MacDonald, Vice Chair (D)
Rep. Virginia Court (D)
Rep. Alan Doane (R)
Rep. Jennifer Eck (D)
Rep. Clayton Fiscus (R)
Rep. Jenifer Gursky (D)
Rep. Sarah Laszloffy (R)
Rep. Dennis R. Lenz (R)
Rep. Ryan Lynch (D)
Rep. Jerry O'Neil (R)
Rep. Bridget Smith (D)
Rep. Kirk Wagoner (R)
Rep. Wendy Warburton (R)

Members Excused: Rep. Mark Blasdel (R)
Rep. David Halvorson (R)
Rep. Ellie Boldman Hill (D)
Rep. Carolyn Pease-Lopez (D)
Rep. Keith Regier (R)

Members Absent: None

Staff Present: Karen Armstrong, Committee Secretary
Helen Thigpen, Legislative Branch

Audio Committees: These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

Committee Business Summary:

Executive Action: SB 134, SB 194, SB 251, SB 372

00:16:10 Chairman Kerns

EXECUTIVE ACTION ON SB 134

00:17:17 **Motion:** Rep. G. Bennett moved that **SB 134 BE CONCURRED IN.**

Discussion:

00:17:27 Chairman Kerns
00:17:36 Rep. O'Neil
00:17:46 Rep. MacDonald
00:18:22 Rep. Regier arrived.
00:18:47 Rep. Halvorson arrived.
00:19:06 Rep. Smith
00:19:37 Rep. Lenz
00:20:26 Rep. Court

00:20:49 **Vote:** Motion carried 18-2 by roll call vote with Rep. Kerns and Rep. O'Neil voting no. Rep. Blasdel, Rep. Hill and Rep. Pease-Lopez voted by proxy. Rep. Smith will carry the bill.

EXECUTIVE ACTION ON SB 194

00:22:25 **Motion:** Rep. G. Bennett moved that **SB 194 BE CONCURRED IN.**

Discussion:

00:22:35 Chairman Kerns
00:22:46 Rep. Smith
00:23:03 Rep. Regier

00:23:24 **Vote:** Motion carried 18-2 by roll call vote with Rep. Regier and Rep. Warburton voting no. Rep. Blasdel, Rep. Hill and Rep. Pease-Lopez voted by proxy. Rep. Gursky will carry the bill.

EXECUTIVE ACTION ON SB 251

00:24:50 **Motion:** Rep. G. Bennett moved that **SB 251 BE CONCURRED IN.**

Discussion:

00:25:06 Chairman Kerns
00:25:15 Rep. MacDonald
00:26:25 Rep. Wagoner
00:26:48 Rep. O'Neil
00:27:05 Rep. Fiscus

00:27:19 **Vote:** Motion carried unanimously by voice vote. Rep. Blasdel, Rep. Hill and Rep. Pease-Lopez voted by proxy. Rep. Dudik will carry the bill.

EXECUTIVE ACTION ON SB 372

00:28:04 **Motion:** Rep. G. Bennett moved that **SB 372 BE CONCURRED IN.**

00:28:19 **Motion:** Rep. Lenz moved that **SB 372 BE AMENDED.**

[EXHIBIT\(juh60a01\)](#)

[EXHIBIT\(juh60a02\)](#)

Discussion:

00:28:36 Rep. Lenz

00:30:23 Rep. Bennett

00:30:38 Rep. Lenz

00:30:42 Rep. Regier

00:31:10 Rep. Lenz

00:31:50 Ms Thigpen, Legislative Services Division (LSD)

00:32:21 Rep. Fiscus

00:33:18 Rep. Lenz

00:33:35 Rep. Fiscus

00:33:38 Rep. Lenz

00:34:03 Rep. Fiscus

00:34:25 Rep. Lenz

00:35:15 Chairman Kerns

00:36:40 Rep. Fiscus

00:37:02 Rep. Lenz

00:37:36 Rep. Wagoner

00:38:48 Rep. Lenz

00:39:25 Rep. Halvorson

00:39:33 Rep. Fiscus

00:39:44 Rep. Bennett

00:39:59 Rep. Halvorson

00:40:07 Rep. Lenz

00:40:24 Rep. Fiscus

00:40:42 Rep. Lenz

00:40:52 Chairman Kerns

00:41:18 Rep. Eck

00:41:52 **Vote:** Motion failed 10-10 by roll call vote with Rep. Court, Rep. Eck, Rep. Gursky, Rep. Halvorson, Rep. Hill, Rep. Lenz, Rep. Lynch, Rep. MacDonald, Rep. Pease-Lopez and Rep. Smith voting aye. Rep. Blasdel, Rep. Hill and Rep. Pease-Lopez voted by proxy.

00:43:09 **Vote:** Motion carried 13-7 by roll call vote with Rep. Eck, Rep. Gursky, Rep. Hill, Rep. Lynch, Rep. MacDonald, Rep. Pease-Lopez and Rep. Smith voting no. Rep. Blasdel, Rep. Hill and Rep. Pease-Lopez voted by proxy. Rep. Fiscus will carry the bill.

00:44:24 Chairman Kerns

ADJOURNMENT

Adjournment: 00:45:07

Karen Armstrong, Secretary

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Additional Documents:

EXHIBIT([juh60aad.pdf](#))